

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION AT DAYTON**

UNITED STATES OF AMERICA, :  
Plaintiff/Respondent, : Case No. 3:04CR044  
vs. : 3:05CV025  
: District Judge Thomas M. Rose  
JANEL R. STURGEON, : Magistrate Judge Sharon L. Ovington  
: Defendant/Movant.  
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**DECISION AND ENTRY**

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The Court has reviewed *de novo* the Report and Recommendations of United States Magistrate Judge Sharon L. Ovington (Doc. #27), to whom this case was originally referred pursuant to 28 U.S.C. §636(b), and noting that no objections have been filed thereto and that the time for filing such objections under Fed. R. Civ. P. 72(b) has expired, hereby adopts said Report and Recommendations. It is therefore **ORDERED** that:

1. The Report and Recommendations filed on February 14, 2006 (Doc. #27) is ADOPTED in full;
2. Janel R. Sturgeon's Motion to Vacate Sentence (Doc. #23) is DENIED;
3. A certificate of appealability under 28 U.S.C. §2253(c) is not issued; and
4. The case is terminated on the docket of this Court.

March 16, 2006

**s/Thomas M. Rose**

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Thomas M. Rose  
United States District Judge